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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,564

09/24/2004

KWANG HAN CHO

1169.011

5563

29338

7590

07/27/2006

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EXAMINER

GRAHAM, MARK S

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,564

Applicant(s)

CHO, KWANG HAN

Examiner

Mark S. Graham

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-14 and 16-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-14, 16-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-7, 9, 13, 14, 16-20, 22, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong in view of Peterson.

With regard to claims 1-3, 9, and 13-16, Wong discloses the claimed device with the exception of stating that the net is detachably attached to the base member. However, such detachable attachment with hooks 52 is commonly known in the art as typified by Peterson. It would have been obvious to one of ordinary skill in the art to have done the same with Wong's net to allow for easy replacement.

Regarding claims 4, 5, 17, and 18, the structure of Wong's loops is such that they are capable of being coilable in overlapping loops.

Regarding claims 6, 7, 19, and 20, the position of the actual hook (on the net or on the frame) is considered an obvious reversal of parts and therefore not a patentable distinction.

In response to applicant's amendments and remarks how a detachable attachment such as that taught by Peterson is used (e.g. to allow a net to drape as recited by applicant in the claims) is not at issue. Peterson makes a detachable attachment for a net attached to a base member obvious to the ordinarily skilled artisan seeking to construct Wong's device such that the net may be easily replaced if desired.

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Regarding applicant's amendments to claims 3 and 16, note Wong's supporting member 320 which is held in a sleeve of patch member 330 in the configuration claimed. This support member sustains the main member against the base member and maintains a substantial angle between these members.

Claims 8 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1 and 13 respectively above, and further in view of Tallent. Claims 8 and 21 are obviated for the reasons explained in the claim 1 and 13 rejections with the exception of the target net. However, as disclosed by Tallent it is known in the art to use such on goal structures. It would have been obvious to one of ordinary skill in the art to have used such on Wong's device as well for practice purposes.

Claims 10-12 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 8 and 22 above respectively, and further in view of Cho '343 (Cho).

Claims 10-12 and 23-25 are obviated for the reasons expressed in the claim 8 and 22 rejections above respectively with the exception of the type of supporting member used between the main and base member. However, as disclosed by Cho it is known in the art to use a supporting member as claimed as the support between the main and base member. It would have been obvious to one of ordinary skill in the art to have used such as Wong's supporting member if it was desire to allow for the supporting member to be detached from the main and base members.

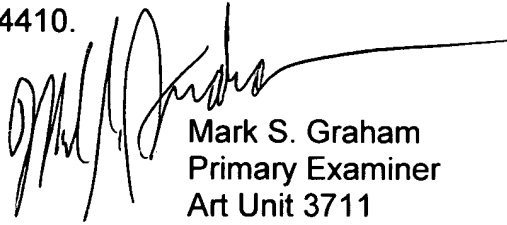
Applicant's arguments filed 6/22/06 have been fully considered but they are not persuasive for the reasons explained above.

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Any inquiry concerning this communication should be directed to Mark S.

Graham at telephone number 571-272-4410.

MSG
7/20/06



Mark S. Graham
Primary Examiner
Art Unit 3711